

being confidential. This matter was set for and heard by the PELRB on April 23, 1992. At the commencement of the hearing, the parties advised the PELRB that they agreed to an amendment of the pending petition to include the position of Police Secretary/Dispatcher.

The Town opposed inclusion of the Accountant/Welfare Director's position in the bargaining unit on the basis of supervising functions (RSA 273-A:8 II) and confidentiality (RSA 273-A:1 IX c). The Town described the accountant's duties as supervisory, hiring, interviewing and evaluating the bookkeeping clerk. Likewise, she recommended the hiring of a custodian. While the accountant may discipline (oral and written reprimands only). The only reference to discipline applying to the custodian was signed by the Town Administrator. The Town argued that the accountant deals with collective bargaining and has access to cost figures used in negotiations.

The Accountant/Welfare Director as a witness testified that she reports to the Town Administrator and that she supervises and has evaluated the bookkeeping clerk/welfare officer. She may approve days off and training needs. The custodian has been evaluated by both the accountant and the administrative assistant in the past. The witness confirmed that she had developed data for negotiations for another bargaining unit; however, was a matter of public record attendance of Selectmen meetings is discretionary. The accountant has not and does not handle correspondence or personal letters for the Town Administrator or the selectmen. Her supervisory functions over the clerk involve assignments pertaining to posting, inventory and adding data. Her involvement with the custodian involves asking him to address custodial problems. As accountant, she is responsible for monitoring account balances. The town treasurer has the final authority.

FINDINGS

1. The Accountant/Welfare Director has a community of interest with other employees in the bargaining unit. There was no evidence of her work being of a confidential nature. None of her duties involve any confidential nature with respect to labor negotiations. Any financial work is of a routine nature and not subject to confidential disclosures.
2. There was insufficient evidence presented to the Board that the Accountant/Welfare Director's supervisory responsibilities exercised other than that of a routine nature in all cases final authority rests with the Town Administrator and cannot be excluded as a supervisory position.
3. The Accountant/Welfare Director is paid on an hourly basis so are other members of the bargaining unit and

is not salaried as are both supervisory positions.

DECISION

The bargaining unit is created consisting of police patrolmen, police corporal, assessing clerk, assistant town clerk, bookkeeper/clerk/welfare office, accountant/welfare director, planning and building clerk, park and recreation maintenance positions, police secretary/dispatcher, recreation director, custodian. Excluded from the bargaining unit is the Chief of Police, Lieutenant (by agreement of the parties) and Town Administrator.

An election should be held by PELRB in accordance with RSA 273-A:10 and PELRB Rules and Regulations as expeditiously as possible.

So ordered.

Signed this 22nd day of May, 1992.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.
Members Seymour Osman and E. Vincent Hall present and voting.